

08/31/01  
JC960 U.S. PTO

BAKER BOTTS LLP

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C9-C4

JC971 U.S. PTO

09/944497

08/31/01

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. A34628 066123.0109  
First Inventor Wani et al.  
Title A \* see attached  
Express Mail Label No. EL866934597US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 29]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
    - ☒ Claim(s) [Total Sheets 5]
    - ☒ Abstract of the Disclosure [Total Sheets 1]
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies), or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
*(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Request and Certification under 35 U.S.C. 122  
*(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.*
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.

Prior application information: Examiner: Group: Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 21003  
*(Insert Customer No. or Attach bar code label here)* or ☐ Correspondence address below

Name  
Address  
City State Zip Code  
Country Telephone Fax

Name (Print/Type) Rochelle K. Seide Registration No. (Attorney/Agent) 32,300  
Signature Date 08/31/2001

BAKER BOTTS LLP

Please type a plus sign (+) inside this box → ☐

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

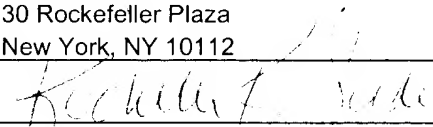
Application Number	09/944,497
Filing Date	8/31/01
First Named Inventor	Wani
Group Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	A34628; 066123.0109

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

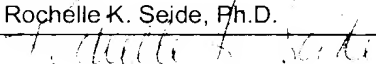
- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached  | <input checked="" type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input type="checkbox"/> Information Disclosure Statement                               | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                         | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Remarks <input checked="" type="checkbox"/>   |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Drawings required proper formatting of margins.   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: Rochelle K. Seide, Ph.D. PTO Reg: 32,300
Date	February 21, 2002	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: February 21, 2002

Typed or printed name	Rochelle K. Seide, Ph.D.	
Signature		Date February 21, 2002

# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision*

**TOTAL AMOUNT OF PAYMENT** (\$ 1,300

## Complete if Known

Application Number	
Filing Date	August 31, 2001
First Named Inventor	Wani et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	A34628 066123.0109

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number **02-4377**  
Deposit Account Name **Baker Botts LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
110	355	Utility filing fee	710
320	160	Design filing fee	
490	245	Plant filing fee	
710	355	Reissue filing fee	
150	75	Provisional filing fee	

**SUBTOTAL (1)** (\$ 710

### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	35	20** = 15	18	270
Independent Claims	7	3** = 4	80	320
Multiple Dependent				

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
80	40	Independent claims in excess of 3
270	135	Multiple dependent claim if not paid
80	40	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ 590

\*\*for number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provision of filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,240	620	Petition to revive - unintentional	
1,240	620	Utility issue fee for reissue	
440	220	Design issue fee	
600	300	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
710	355	For each additional invention to be examined (37 CFR § 1.129(b))	
710	355	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 0

## SUBMITTED BY

Name (Print Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300	Telephone	(212) 408-2626
Signature		Date	08/31/2001		

Complete (if applicable)

# BAKER BOTTS LLP

## Addendum Sheet 1

Att Docket #: A34628 066123.0109

\*Question 4 Addendum

4.a. Drawings are ☐ formal ☒ informal

\* Question 5 Addendum

5.c. ☐ An unsigned oath or declaration is included.

\* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

\* Question 9 Addendum

9.a. ☐ Assignment documents will follow.

9.b. ☐ Assignment documents have been filed in  
parent application No.

\* Question 11 Addendum

11.a. ☐ English translation will follow.

\* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

\* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.

15.b. ☐ Certified copies of priority documents have been filed in parent  
application No.

Use the space below for additional information

THIS IS A NON-PROVISIONAL APPLICATION

BOTH A COLOR AND BLACK & WHITE COPY OF FIGURE 1 ARE ENCLOSED

Title (continued):

A PHARMACEUTICAL COMPOSITION USEFUL FOR INHIBITION OF OSTEOCLAST  
FORMATION AND A PROCESS FOR THE EXTRACTION OF MUSSEL HYDROLYSATE  
FROM INDIAN GREEN MUSSEL